

243975
Custer County Req. of
City of Mackay
Time 8:10 A M Date 4/14, 2011
Barbara C. Tierney, Clerk
Lisa Baker \$22.00
Deputy

ORDINANCE No. 406

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF CUSTER COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MACKAY, TO THE CITY OF MACKAY, IDAHO: ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY DESCRIBED HEREIN: AMENDING THE ZONING MAP OF THE CITY OF MACKAY TO REFLECT SAID CHANGES; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mackay, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by section 50-222, Idaho Code; and

WHEREAS, the owners of the real property situated in the unincorporated area of Custer County and particularly described in Exhibit "A" of this ordinance has requested, in writing, annexation of said real property to the City of Mackay; and

WHEREAS, the real property situated within the City of Mackay and particularly described in Exhibit "A" of this ordinance will be zoned Industrial.

WHEREAS, the property described is Exhibit "A" is located directly northeast of the intersection of Stockman's Drive and McCaleb Avenue; and

WHEREAS, the Mackay Planning and Zoning Commission, pursuant to public notice as required by law, held a public hearing on June 25, 2010, on the proposed annexation and zoning for the real property described in Exhibit "A" as required by section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted and that a zoning classification of Industrial for the property described in Exhibit "A" is appropriate to meet the requirements of Idaho Code and the City of Mackay and should be granted.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MACKAY, IDAHO AS FOLLOWS:

Section 1: The Mackay City Council hereby finds and declares that the real property particularly described in Exhibit "A", attached hereto and incorporated herein by reference, is contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, and that the owner of said property has requested, in writing, annexation thereof to the City.

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APR 25 2011
TECHNICAL SUPPORT

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APR 18 2011
TECHNICAL SUPPORT

Section 2: The real property, all situated in Custer County, Idaho, adjacent and contiguous to the City, particularly described in Exhibit "A" and as generally shown on Exhibit "B", attached, is hereby annexed to the incorporated territorial limits of the City of Mackay, Idaho.

Section 3: The City Council hereby finds and determines that it is in the best interests of the public health, safety, and welfare of the City of Mackay and the residents and property therein that the real property particularly described in Exhibit "A" and generally as shown in Exhibit "B", attached hereto and incorporated by reference, is hereby included in and classified as part of the Industrial zone.

Section 4: The official Zoning Map of the City of Mackay, Idaho, is hereby amended to reflect the foregoing change in zoning.

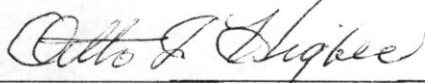
Section 5: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Mackay.

Section 6: The City Clerk is hereby directed to file, within ten (10) days of the passage and approval of this Ordinance, a certified copy of this Ordinance with the Offices of Auditor, Treasurer, and Assessor of Custer County, Idaho and with the State Tax Commission, Boise Idaho, as required by section 50-223, Idaho Code, and to comply with the provisions of section 63-2215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 7: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with section 50-901A, Idaho Code, may be published.

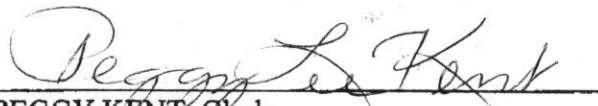
DATED this 4th day of January, 2011.

CITY COUNCIL OF THE CITY OF MACKAY



OTTO HIGBEE, Mayor

ATTEST:

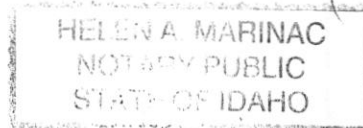


PEGGY KENT, Clerk

STATE OF IDAHO)
: ss.
County of Custer)

On this 5 day of January, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared Otto Higbee and Peggy Kent, known to me to be the MAYOR AND CLERK of said municipal corporation that executed this instrument and the persons who executed the said instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first written.



Helena A. Marinac
Notary Public

Residing at: Mackay

My Commission Expires: 8-29-2012

Job No. 10045

5-24-2010

T.R.M.

**LEGAL DESCRIPTION
FOR
LOST RIVER HIGHWAY DISTRICT
(AREA FOR ANNEXATION)**

Part of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 21, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho described as follows:

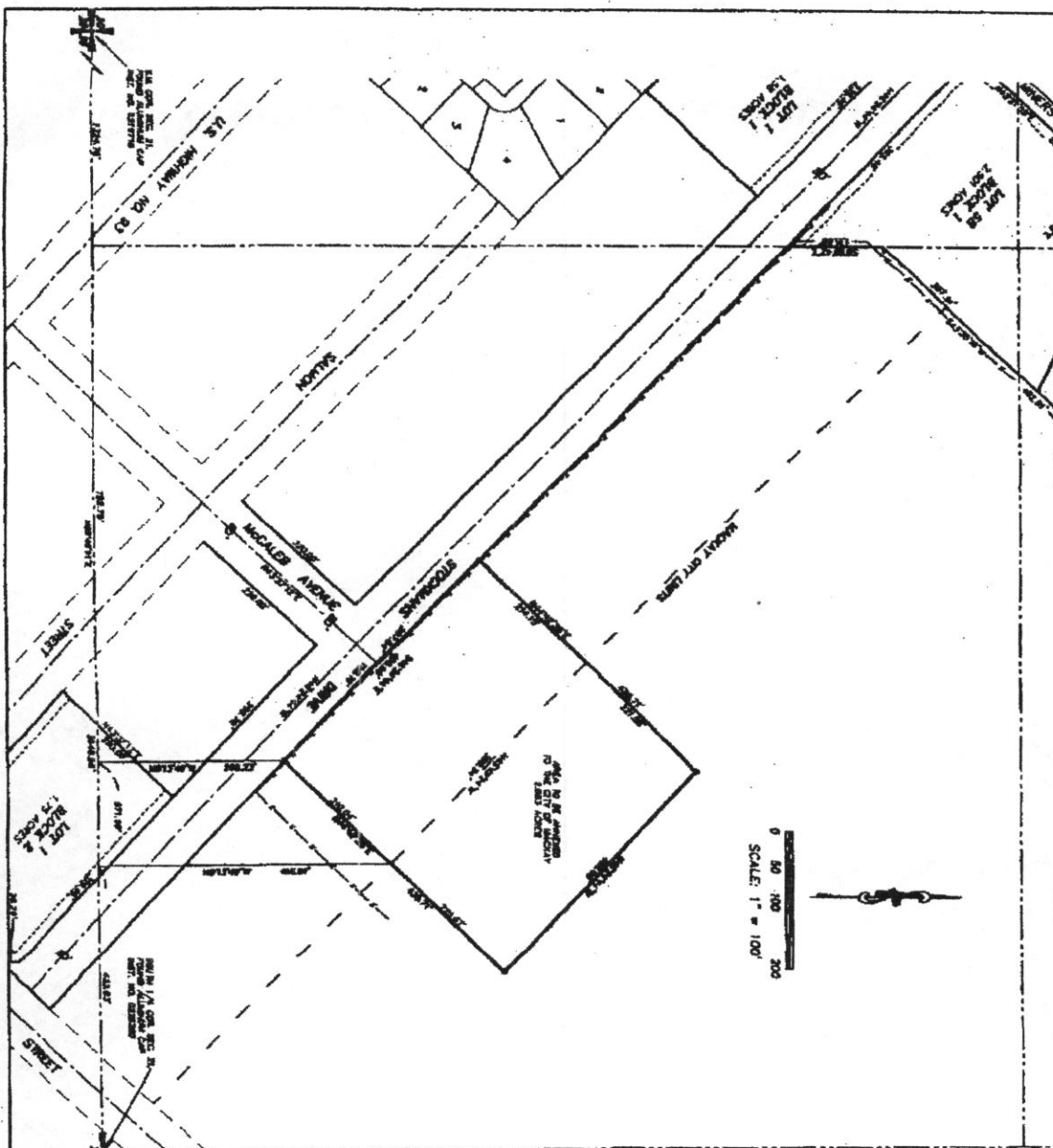
Beginning at a point on the north line of the City of Mackay city limits and the property as described in Instrument No. 212986 that is S.89°46'11"W. 423.63 feet along the section line and N.00°13'49"W. 416.91 feet from the South Quarter corner of said Section 21 and running thence N.45°49'24"W. 399.94 feet along said north line of the City of Mackay city limits; thence N.44°42'35"E. 221.56 feet; thence S.46°24'44"E. 400.00 feet; thence S.44°42'35"W. 225.67 feet to the point of beginning.

Parcel contains 2.053 acres.



Exhibit "A"

PART OF
THE SE 1/4 OF THE SW 1/4 OF
SEC. 21, T. 7 N., R. 24 E.B.M., CUSTER COUNTY, IDAHO



Submitted At: _____
 Name of Day: _____
 Date: _____
 Reported by Quaker Church's Website

part of the "National Council of the American-Soviet Friendship Society," 1415 N. 17th St., Apt. 10, N. Miami Beach, Fla. 33162. The group is active in the collection of money for the Soviet Union and the purchase of goods for the Soviet Union. The group is active in the collection of money for the Soviet Union and the purchase of goods for the Soviet Union. The group is active in the collection of money for the Soviet Union and the purchase of goods for the Soviet Union.

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Part of the Postscript Quarter of the Postscript Quarter
(The 1/2 of the Quarter 24, Thursday 7 April, 1990)
1-2 Oct of the Postscript Quarter, Quarter One is made
Postscripting on Thursday

Part of the Postscript Quarter at the Postscript Quarter
The 1st St. by 1st St. of Southern Ave. towards 7th St., Average
1-2 feet of the South Division, Outer Circle is made
available as follows:

Spotted arrow marker
Arrow 1/2" x 16" long
1/2" x 16" long

Spotted arrow marker
Arrow 1/2" x 16" long
1/2" x 16" long

1. Terry R. Higgins, a registered Professional Land Surveyor in the State of Idaho, hereby certifies that this plot is an accurate representation of the survey conducted under my supervision.

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7200

Schies & Associates
CONSULTING ENGINEERS
AND LAND SURVEYORS

LOST RIVER HIGHWAY DISTRICT
9000 E. T. 7 N. R. 24 E.B.M.

7123 SOUTH 45TH WEST
Mesa, Ariz. 85406
(202) 415-1246
Fax (202) 327-8132

Exhibit "B"